

HOUSE No. 80

By Ms. Wolf of Cambridge, petition of Alice K. Wolf and others for legislation to enable cities and towns to extend voting rights in municipal elections to certain non-citizens of the Commonwealth. Election Laws.

The Commonwealth of Massachusetts

PETITION OF:

Alice K. Wolf Ellen Story
Byron Rushing

In the Year Two Thousand and Five.

AN ACT ENABLING CITIES AND TOWNS TO EXTEND VOTING RIGHTS IN
MUNICIPAL ELECTIONS TO CERTAIN NON-CITIZENS OF THE COMMON-
WEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Chapter 51 of the General Laws is hereby amended by inserting
2 after section 1F the following section:—
3 Section 1G. (a) Sections 1G, inclusive, shall take effect in any
4 city or town upon the approval by the legislative body and accep-
5 tance by the voters of a ballot question as set forth in this section.
6 (b)(1) Notwithstanding the provisions of section one of chapter
7 fifty-one of the general laws or any other general or special law to
8 the contrary, non-citizens, 18 years of age or older, residing in a
9 city or town that accepts section 1G, inclusive, may upon applica-
10 tion have their names entered on a list of voters established by the
11 municipal election officials, and may thereafter vote in any
12 municipal election for school committee, school committee ques-
13 tions, city council and board of selectmen for so long as they
14 remain domiciled in the municipality.
15 (2) The election officers of a municipality that accepts the pro-
16 visions of section 1G, inclusive, are authorized to formulate regu-
17 lations, guidelines, and registration forms to implement the

18 purpose of this act. The voter registration forms shall include a
19 declaration to be signed under pains and penalties of perjury by
20 the non-citizen voter that: 1) s/he is residing in the municipality;
21 2) s/he intends in good faith to become a U.S. citizen and intends
22 to begin that process, if eligible.

23 (3) Nothing in this act shall be construed to confer upon non-
24 citizens the right to vote for any state or federal office or any state
25 or federal ballot questions.

26 (c)(1) Upon approval by the legislative body, the action of the
27 body shall be submitted for acceptance to the voters of a city or
28 town at its next regular municipal or state election. The city or
29 town clerk or the state secretary shall place it on the ballot in the
30 form of the following question:

31 “Shall (city or town) accept section 1G, inclusive, of chapter 51
32 of the General Laws, as approved by its legislative body, a sum-
33 mary of which appears below.”

34 (Set forth here a fair, concise summary and purpose of the law
35 to be acted upon, as determined by the city solicitor or town
36 counsel.)

37 (2) If a majority of the voters voting on said question vote in
38 the affirmative, then its provisions shall take effect in the city or
39 town after 90 days, but not otherwise.

40 (3) The final date for notifying or filing a petition with the city
41 or town clerk or the state secretary to place such a question on the
42 ballot shall be 35 days before the city or town election or 60 days
43 before the state election.